

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

QUALITY SUPPLY CHAIN CO-OP, INC.,

Plaintiff,

v.

AGRI STATS, INC., CLEMENS FOOD GROUP, LLC, THE CLEMENS FAMILY CORPORATION, HORMEL FOODS CORPORATION, HORMEL FOODS, LLC, JBS USA FOOD COMPANY, SEABOARD FOODS LLC, SMITHFIELD FOODS, INC., TRIUMPH FOODS, LLC, TYSON FOODS, INC., TYSON PREPARED FOODS, INC., AND TYSON FRESH MEATS, INC.,

Defendants.

Case No. 18-cv-1776
Individual Case No. 0:22-cv-01840

**JOINT STIPULATION OF
CONSENT FOR LEAVE TO FILE
QUALITY SUPPLY CHAIN CO-
OP, INC.'S FIRST AMENDED
COMPLAINT**

Direct Action Plaintiff Quality Supply Chain Co-Op, Inc. ("QSCC") and Defendants hereby stipulate as follows:

1. QSCC may file a First Amended Complaint in this matter, attached as Exhibit A (Proposed Redline Complaint) and Exhibit B (Proposed QSCC First Amended Complaint) pursuant to Fed. R. Civ. P. 15(a)(2), which permits a party to amend its pleading with the opposing party's written consent, see *Thomas v. United Steelworkers Local 1938*, 743 F.3d 1134, 1140 (8th Cir. 2014), *reh'g denied* (Apr. 8, 2014).

2. The purpose of the amendment is to reflect an assignment of claims received by QSCC from Y. Hata & Company, Limited.

3. Defendants hereby consent to the Court, granting QSCC leave to file a First Amended Complaint, attached hereto as Exhibit B.

4. By entering into this stipulation, the parties agree that Defendants do not concede the efficacy of the amendments or that the claims set forth in QSCC's First Amended Complaint are properly pleaded, nor do they waive any arguments that they could have raised in the context of an opposition to the motion for leave to amend.

5. The parties agree that Defendants have no obligation to answer or otherwise respond to QSCC's First Amended Complaint and that Defendants' Answers to Direct Action Plaintiffs' Amended Consolidated Complaint shall apply to QSCC's First Amended Complaint and that Defendants' Joint Motion to Dismiss the Direct-Action Plaintiffs' Claims (ECF No. 1754) and all arguments asserted in support thereof shall apply to any claims asserted by QSCC as an alleged assignee of Y. Hata & Company, Limited.

6. The parties further agree that this motion will not affect any of the pending deadlines in this action.

Dated: April 11, 2023

Respectfully submitted,

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